

## **REMARKS**

The present Response is submitted in response to the Final Office Action dated January 12, 2007 with a Request for Continued Examination (“RCE”). In the Final Office Action, the Examiner rejects claims 3 through 40 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as the invention. Claims 3 through 40 are also rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 6,009,410 to LeMole (“LeMole”). Finally, the Examiner rejects claims 3 through 40 as anticipated by claims 1 through 20 of U.S. Patent No. 6,687,745 (the “’745 Patent”) under the non-statutory doctrine of obviousness-type double patenting. Applicants respectfully traverse the Examiner’s rejection for at least the reasons presented herein.

By way of the present Amendment, Applicants hereby amend dependent claim 18 to correct a typographical error such that dependent claim 18 now properly depends on independent claim 17. Independent claims 31 and 35 are also hereby amended by way of the present amendment to correct minor informalities; the amendments are fully supported by the specification as filed and do not introduce any new matter.

Regarding the rejection of claims 3 through 40 as anticipated by claims 1 through 20 of the ’745 Patent under the non-statutory doctrine of obviousness-type double patenting, Applicants submit herewith a properly filed Terminal Disclaimer over the ’745 Patent. Accordingly, Applicants respectfully request withdrawal of the rejection.

The Examiner next asserts that claims 3 through 40 are indefinite under 35 U.S.C. 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as the invention. Applicants disagree with the Examiner’s assertion

that the scope of the “claims is not clear because the terms used in the claims are so broad that it is not clear what they are.” As per the request of the Examiner, Applicants hereby identify support in the specification as originally filed for the steps comprising claims 3 through 16 and 35 as follows:

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| <b>Claim 3</b>   |  |
| A method for presenting an application in a networked computer processing system having a plurality of client computers and a plurality of host computers, the method comprising:  | Page 14, lines 13-23   |
| retrieving, in response to a request of a client computer a content item having computer program code embedded therein execution of the embedded computer program code establishing a communication connection to a host computer  | Page 15, lines 4-20; Page 16, lines 10-15, Page 18, lines 8-23 |
| sending operating environment information regarding the client computer from the client computer to the host computer  | Page 17, lines 12-14; Page 25, lines 22-23; Page 26, lines 1-6 |
| retrieving presentation information to present an application and content, the presentation information being based on the operating environment information and comprising at least one of instructions for rendering components of the application, default parameters and data values exhibited within the components, and application-specific business logic for processing input to the presented application; and | Page 17, lines 12-17; Page 26, lines 7-10                      |
| presenting, at the client computer the application and the content based upon the presentation information   | Page 17, lines 18-23; Page 18, lines 1-7                       |
| <b>Claim 4</b>   |  |

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| <p>The method of claim 1 comprising:</p> <p>storing, on the client computer, a link for re-establishing the communication connection to the host computer;</p> <p>retrieving the presentation information; and</p> <p>presenting the application and the content.</p>      | <p>Page 32, line 20- 35, line 7</p> |
| <b>Claim 5</b>   |                                     |
| <p>The method of claim 4 comprising allowing a user of the client computer to drag and drop the link for storage at the client computer.</p>   | <p>Page 28, lines 11-22</p>         |
| <b>Claim 6</b>   |                                     |
| <p>The method of claim 4 comprising storing information to identify the application and the content upon selection the link.</p>   | <p>Page 29, lines 1-9</p>           |
| <b>Claim 7</b>   |                                     |
| <p>The method of claim 6 wherein the information to identify the application comprises at least one of an icon and a label representing at least one of the presented application and the content.</p>   | <p>Page 31, lines 16-20</p>         |
| <b>Claim 8</b>   |                                     |
| <p>The method of claim 4 wherein storing further storing instructions for rendering components of the application, default parameters and data values exhibited within the components and application-specific business logic for processing input to the application.</p> | <p>Page 17, lines 12-17</p>         |
| <b>Claim 9</b>   |                                     |

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| <p>The method of claim 4 comprising:</p> <p>storing, at the host computer, information representing a first operating state of the application and the content presented to the user; and</p> <p>in response to selection of the link, presenting to the user the first operating state information.</p>   | <p>Page 49, line 12 - Page 52, line 7</p>                              |
| <p><b>Claim 10</b></p> <p>The method of claim 9 wherein the first operating state information is presented to the user at a given one of the plurality of client computers.</p>  | <p>Page 50, line 6 - Page 52, line 7</p>                               |
| <p><b>Claim 11</b></p> <p>The method of claim 4 comprising:</p> <p>transmitting the link to a second client computer such that the second client computer is operative to establish a communication connection to the host computer;</p> <p>transmitting presentation information from the host computer to the second client computer; and</p> <p>presenting the application and the content on the basis of the presentation information</p> | <p>Page 43, lines 21-23; Page 50, lines 18-23; Page 51, lines 1-20</p> |
| <p><b>Claim 12</b></p> <p>The method of claim 11 comprising storing information to track transmission of the link between the plurality of client computers</p>  | <p>Page 44, line 12 - Page 46, line 7</p>                              |
| <p><b>Claim 13</b></p> <p>The method of claim 12 wherein the information to track transmission of the link comprises a global unique identifier that is assigned to the link and information for identifying a given client computer that has received the link.</p>   | <p>Page 44, line 12 - Page 46, line 7</p>                              |
| <p><b>Claim 14</b></p>   |  |

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| The method of claim 1 wherein the networked computer processing system includes an Internet connection and the client computer includes a desktop-based repository for storage of one or more links to one or more applications and content   | Page 10, line 18 - Page 11, line 2                      |
| <b>Claim 15</b>   |   |
| The method of claim 14 wherein the networked computer processing system includes an Internet-based repository for storage of the one or more links to one or more applications and content.   | Page 10, line 18 - Page 11, line 2                      |
| <b>Claim 16</b>   |   |
| The method of claim 1 wherein the networked computer processing system includes a desktop-based repository for storage of one or more links to the applications and the content and an Internet-based repository for storage of the one or more links and wherein the link is stored in both the desktop-based repository and the Internet-based repository | Page 10, line 18 - Page 11, line 2                      |
| <b>Claim 35</b>   |   |
| A method for presenting an application in a networked computer processing system having a plurality of client computers and a plurality of host computers, the method comprising:   | Page 14, lines 13-23                                    |
| initiating a connection from a presentation client to an application server, the presentation client operative to transmit client operating system environment information to the application server;   | Page 15, lines 10-16; Page 17, lines 4-7                |
| transmitting presentation instructions and one or more content items from the application server to the presentation client, the presentation instructions based on the operating system environment information and operative to instruct the presentation client as to the display of the one or more content items;                                      | Page 16, lines 19-21; Page 17, lines 12-17              |
| transmitting one or more events from the presentation client to the application server; and   | Page 25, lines 8-21; Page 46, line 8 - Page 49, line 11 |

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| on the basis on the basis of the one or more events, executing application specific business logic at the application server to transmit updated presentation instructions and one or more updated content items to the presentation client for display. | Page 23, line 4 - Page 24, line 20; Page 25, lines 8-21; Page 46, line 8 - Page 49, line 11 |
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Although Applicants identify support in the specification as originally filed for the steps comprising claims 3 through 16 and 35, the citations to the specification are meant to be exemplary, and not exhaustive. Furthermore, the citations to the specification are not intended to be limiting, as the specification describes numerous embodiments in which one of skill in the art may practice the invention in accordance with the present claims. As the pending claims are supported by the specification as filed, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. 112, second paragraph.

Regarding the rejection of claim 3 through 40 under 35 U.S.C 102(a) as being anticipated by LeMole, Applicants respectfully assert that LeMole fails to teach or suggest every element of the pending claims 3, 17, 31 and 35 and, therefore, fails to anticipate independent claims 3, 17, 31 and 35.

Independent claim 3 is directed towards a method for presenting an application in a networked computer processing system having a plurality of client computers and a plurality of host computers. The method according to independent claim 3 comprises retrieving, in response to a request of a client computer, a content item having computer program code embedded therein, execution of the embedded computer program code establishing a communication connection to a host computer. Operating environment information regarding the client computer is sent from the client computer to the host computer. Presentation information is retrieved to present an application and content, the presentation information being based on the operating environment information and comprising at least one of instructions for rendering

components of the application, default parameters and data values exhibited within the components, and application-specific business logic for processing input to the presented application. The client computer presents the application and the content based upon the presentation information. Independent claim 17 comprises substantially similar elements to those of independent claim 3, but cast as computer readable media for the storage of program code.

LeMole, which the Examiner asserts teaches or suggests every element of independent claim 3, discusses a method and system for presenting customized advertising to a user over the World Wide Web. According to LeMole, a user accesses a customized advertising repository through his or her browser, either by clicking on an icon or by inputting the specific URL address of the advertising repository. Abstract; col. 1, lns. 57-61; col. 4, lns. 15-18. When accessing the advertising repository, a composite advertising page is dynamically configured by the Customized Advertising Repository ("CAR") server for a given user on the basis of his or her profile. Abstract; col. 2, lns 13-17; col. 4, lns. 20-35. At least a portion of the composite advertising page can be dynamically configured on a context dependent basis determined from the particular web site or sites that the user has accessed. Abstract; col. 2, lns. 17-21; col. 5, lns. 27-34. On the basis of the user profile and previously visited web sites, the CAR server combines images, banners, video clips, sound clips, etc. into an aggregated advertising page or pages with hyperlinks to the advertising sites of each of the combined advertisers. Abstract; col. 4, col. 2, lns. 42-46; col. 4, lns. 33-35; col. 6, lns. 62-66.

LeMole fails to teach or suggest every element of independent claim 3 and therefore fails to anticipate independent claim 3. First, although LeMole does discuss a plurality of client devices and a plurality of host computers, LeMole is not directed towards a method for

presenting an application. Instead, as the title suggests, LeMole discusses systems and methods for presenting customized advertising to a user on the World Wide Web. The examples from LeMole upon which the Examiner is relying all relate to the presentation of content (e.g., advertisements or information about Disney, Delta Airlines or Dell Computer) within a browser application. Contrary to the Examiner's assertion, however, LeMole is silent with regard to the presentation of an application and at most discusses the presentation of content within a browser application executing at a client computer. Indeed, the examples that LeMole provides and upon which the Examiner relies all discuss the provision of information and advertising, but are silent with regard to the presentation of an application.

LeMole next fails to teach or suggest retrieving, in response to a request of a client computer, a content item having computer program code embedded therein, execution of the embedded computer program code establishing a communication connection to a host computer. As the Examiner points out, LeMole discusses accessing an advertising repository by clicking on an icon or inputting the specific URL address of the advertising repository. LeMole further discusses providing an aggregated advertising page or pages with hyperlink to advertising sites of one or more advertisers. Neither of these features of LeMole, however, discusses the retrieval of a content item having computer program code embedded therein by a client computer. Furthermore, LeMole is silent regarding the execution of the embedded computer program code to establish a communication connection to a host computer. At most, LeMole discusses directly accessing an information source and receiving a web page comprising links to advertisers' web pages.

LeMole also fails to teach or suggest sending operating environment information regarding the client computer from the client computer to the host computer. Applicants



respectfully assert that the Examiner is incorrectly equating the user profiles of LeMole with the presently claimed operating environment information regarding the client computer. According to LeMole, a user provides a profile of interests and demographic information when registering to have access to the advertising repository, which may be done off-line through a slow-mail registration process. LeMole provides an exemplary profile indicating that a user is married, has two children ages 12 and 10, is interested in travel and theme parks, and lives in New Jersey. Independent claim 3, by contrast, is directed towards the client sending operating environment information regarding the client computer to the host, not information regarding a user, as LeMole discusses. Indeed, LeMole is silent regarding operating environment information regarding the client computer as LeMole targets advertising on the basis of the user's demographics, interests, or past web browsing experience, and is not concerned with information regarding the operating environment of the client device.

As LeMole is silent regarding sending operating environment information regarding the client computer, it follows that LeMole likewise fails to teach or suggest retrieving presentation information to present an application and content, the presentation information being based on the operating environment information. At most, LeMole discusses the dynamic generation of a composite advertising page for transmission to a browser operating on a client device. There is no teaching or suggestion, however, to retrieve presentation information to present an application and content, the presentation information being based on operating environment information. LeMole discusses the use of a browser (application) to render the composite advertising page but is silent with regard to using presentation information based on the operating environment information to present the application, as well as to present content.

LeMole fails to teach or suggest every element of independent claims 3 and 17 and, therefore, does not anticipate independent claims 3 and 17. Accordingly, Applicants respectfully request withdrawal of the rejection with regard to independent claims 3 and 17 and allowance of the same.

Independent claim 31 is directed towards a system for presenting an application in a networked computer processing system having a plurality of client computers and a plurality of host computers. The system according to independent claim 31 comprises a presentation client executing at a client device operative to transmit operating system environment information to the application server, receive presentation instructions from the application server to display the application and the one or more content items, transmit one or more events to the application server, receive updated presentation instructions from the application server to display one or more updated content items in accordance with the updated presentation information and maintain an operating state of the application . The system according to independent claim 31 further comprises an application server operative to transmit presentation information for display of the application and the one or more content items on the basis of the operating system environment information, execute application specific business logic on the basis of the one or more events to generate the updated presentation instructions for transmission to the client player.

LeMole fails to teach or suggest a presentation client as claimed. As discussed above in connection with independent claims 3 and 17, LeMole fails to teach or suggest at least transmitting operating environment information and receiving presentation instructions from the application server to display the application and one or more content items. Similarly, LeMole fails to teach or suggest an application server as claimed and is silent with regard to at least the

transmission of presentation information to the presentation client for display of the application and the one or more content items, the presentation information based on the operating system environment information. For at least these reasons, as well as those presented in conjunction with independent claims 3 and 17, independent claim 31 is not anticipated by LeMole.

Accordingly, Applicants respectfully request withdrawal of the rejection of independent claim 31 and allowance of the same.

Like independent claim 3, independent claim 35 is also directed towards a method for presenting an application in a networked computer processing system having a plurality of client computers and a plurality of host computers. The method according to independent claim 35 comprises initiating a connection from a presentation client to an application server, the presentation client operative to transmit client operating system environment information to the application server. Presentation instructions and one or more content items are transmitted from the application server to the presentation client, the presentation instructions based on the operating system environment information and operative to instruct the presentation client as to the display of the application and the one or more content items. The presentation client transmits one or more events to the application server and, on the basis of the one or more events, executes application specific business logic to transmit updated presentation instructions and one or more updated content items to the presentation client for display with the application.

As with independent claims 3, 17 and 31, LeMole fails to teach or suggest every element of independent claim 35. For example, LeMole fails to teach or suggest a presentation client initiating a connection to an application server and operative to transmit operating system environment information to the application server. LeMole is also silent, as discussed above, with regard to transmitting presentation instructions that are based on the operating system

environment information, as well as operative to instruct the presentation client as to the display of the application and the one or more content items. As LeMole fails to teach or suggest every element of independent claim 35, LeMole does not anticipate independent claim 35. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claim 35 and allowance of the same.

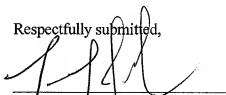
The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over Thomas and the prior art of record. Given the applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For these reasons, Applicants respectfully request that the Examiner withdraw the rejections as they might be applied to the claims as pending following entry of this Amendment and allow the claims. To expedite prosecution of this application to allowance, the Examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

Dated: July 12, 2007

THIS CORRESPONDENCE IS BEING  
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Respectfully submitted,



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